

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

UMG RECORDINGS, INC., *et al.*,

Plaintiffs,

v.

KURBANOV, *et al.*,

Defendants.

Case No. 1:18-cv-00957-CMH-TCB

**PLAINTIFFS' MOTION TO COMPEL
PRESERVATION AND PRODUCTION OF WEB SERVER DATA**

Pursuant to Federal Rule of Civil Procedure 37 and Local Civil Rule 37, Plaintiffs respectfully move to compel Defendant Tofig Kurbanov (“Defendant”) to: (1) preserve certain web server data for the websites named in Plaintiffs’ Complaint; and (2) produce the web server data responsive to Plaintiffs’ discovery requests. For the reasons discussed in the accompanying memorandum in support, the Court should grant the motion.

LOCAL RULE 37(E) CONFERRAL STATEMENT

Counsel for Plaintiffs and Defendant exchanged emails concerning issues with Defendant’s discovery responses—including the preservation and production of web server data—on May 5, 10, 13 and 17, 2021 and June 15, 2021. The parties’ respective counsel also met and conferred by telephone and video on May 4 and 19, 2021 and June 15, 2021. Despite their good faith efforts, the parties were unable to resolve the discovery matters at issue.

Respectfully submitted,

Dated June 16, 2021

/s/ Scott A. Zebrak

Scott A. Zebrak (VSB No. 38729)

Matthew J. Oppenheim (*pro hac vice*)

Lucy Grace D. Noyola (*pro hac vice*)

Kellyn M. Goler (*pro hac vice*)

OPPENHEIM + ZEBRAK, LLP

4530 Wisconsin Avenue, NW, 5th Floor

Washington, DC 20015

Tel: (202) 480-2999

Fax: (866) 766-1678

scott@oandzlaw.com

matt@oandzlaw.com

lucy@oandzlaw.com

kellyn@oandzlaw.com

Attorneys for Plaintiffs